

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BROUNCHE S. GREEN,

Plaintiff,

v.

R. HILL, et al.,

Defendants.

No. 2:24-cv-1475 TLN SCR P

FINDINGS AND RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se, originally filed this civil rights action in state court. Defendants removed the case to federal court. (See ECF No. 1.) On screening the complaint, this court found plaintiff failed to state any claims for relief cognizable under 42 U.S.C. §1983. (Sept. 23, 2024 Order; ECF No. 9.) This court dismissed the complaint with leave to file an amended complaint within sixty days. Plaintiff was warned that if he failed to file a timely amended complaint, this court might recommend this action be dismissed.

Sixty days have passed and plaintiff has failed to file an amended complaint or otherwise respond to the court's September 23, 2024 Order.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for failure to state a claim, for reasons explained in the Sept. 23, 2024 Order, for failure to prosecute, and for failure to comply with court orders. See Fed. R. Civ. P. 41(b); E.D. Cal. R. 110.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days after being served with these findings and recommendations, either party may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” The parties are advised that failure to file objections within the specified time may result in waiver of the right to appeal the district court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 || DATED: December 19, 2024


SEAN C. RIORDAN
UNITED STATES MAGISTRATE JUDGE